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January 5th, 2016 Minutes

Brookings County Planning & Zoning Commission
January 5th, 2016 – 7:00 PM
Brookings City & County Government Center
310 Chambers

Chair Robbins called the meeting to order at 7:17 PM. Commission members present were: Lee Ann Pierce, Robert Rochel, Kimberly Elenkiwich, Darrell Nelson, Darrel Kleinjan, Terrell Spence, Laurie Nichols, Randy Jensen, and alternate board members Tom Davis and Roger Erickson.

Chair Robbins read **agenda item # 2: Approval of minutes from December 1st and December 15th, 2015 meetings.** Terrell Spence moved to approve the minutes Laurie Nichols second. Chair Robbins called for a voice vote. 9-ayes and 0-nays, motion carried.

Chair Robbins read **agenda item # 3: Items to be added to agenda by commission members or staff.** a) Robert Hill noted discussion on staff reports to take place during Department reports.

Chair Robbins read **agenda item # 4: Invitation for citizen to schedule time on the commission agenda for an item not listed. Time limited to 5 minutes per person to address the board.** No one scheduled time to address the board.

Chair Robbins read **agenda item # 5: Approval of Agenda.** Kimberly Elenkiwich moved to approve the agenda. Robert Rochel second. Chair Robbins called for a voice vote. 9 -ayes and 0 -nays, motion carried.

Chair Robbins read **agenda item # 6: Election of Officers for 2016.** Chair Robbins turned the meeting over to Richard Haugen for the election of officers. Richard Haugen opened up for nominations and asked the election committee members of Elenkiwich and Nelson for their report. The committee reported Jeff Robbins for chair and Kimberly Elenkiwich for vice chair and noted that Robert Rochel withdrew his name prior to meeting. Mr. Haugen asked for further nominations for chairman three more times, seeing none, closed the nomination and called for a unanimous ballot for Jeff Robbins for Chairman for 2016. Darrel Kleinjan made a motion that nomination cease and accept the unanimous ballot. Mr. Haugen called for a voice vote, 9-ayes and 0-nays. Richard Haugen turned the

meeting over to Chairman Robbins. Chair Robbins noted the name of Kimberly Elenkiwich for vice chair and opened up for further nominations from the board. Chair Robbins hearing none, closed the nominations and called for a unanimous ballot for Kimberly Elenkiwich for Vice Chairman for 2016. Randy Jensen made a motion that nominations cease and accept the unanimous ballot. Chair Robbins called for a voice vote, 9-ayes, 0-nays. Chair Robbins then stated, "We are now acting as the Brookings County Board of Adjustment", read the opening statement and **agenda item # 7: 2016cu001: JC's Twisted, LLC by Jon and Crystal Himley, has made an application, 2016cu001, to the Brookings County Board of Adjustment for a conditional use. Brookings Joint Jurisdiction Area: Article IV: Agricultural, Residential and Floodplain and Aquifer Districts. Section 405. Agricultural District "A". Section 408: Special Exception # 10: Stables: and Brookings County Zoning Ordinance: Article 11: Section 11.01: "A" Agricultural District: Conditional Use Permit # 12: Stables. The property is described as: "Lot M-2 of Warrior Commercial Park Add. & Lot M-2 of Warrior Commercial Park 2nd Add. In SW1/4 Sec 18, T110N, R49W (Aurora Township)." ~ located at 1900 25th Ave., Brookings, SD 57006.** Darrel Nelson moved to approve the conditional use request. Randy Jensen second. Chair Robbins opened up for discussion and asked Mr. Haugen for a staff report. Mr. Haugen stated, "We are hearing this as the board of adjustment, as it is located within the joint jurisdiction area. Jon & Crystal Himley, are applying for a conditional use/special exception to operate a horse stable at the former Sebring Stable located at the Hwy 14 bypass and 25th Street. The application is for no more than 60 horses at any one time. They have a 3 year lease on the property and have repaired existing fences and gates on the property as needed. The property has not been used as a stable for several years. They have a business plan that addresses: weed control, manure disposal, fly control and hours of operation." Mr. Haugen gave a brief history of the property noting that on Feb. 4th, 1997 Mr. Sebring owned the property and was granted a special exception for a horse stable for 50 horses with no more than 25 being outside at any one time. March 4th, 2003 Christiansen Investments LTD purchased the property and applied for a special exception that no more than 150 horse could be on the property at any one time. It was tabled and on April 1st, 2003 the Brookings County Planning and Zoning Commission granted an increase from 50 to 150, with letters of assurances to be signed by all parties for the special exception to be valid. Mr. Haugen stated, "The Himleys would like to once again open the facility and provide a place for SDSU students and city or county residents to board and ride their horses. The facility borders the city limits of Brookings on two sides and the property owner's within the city limits may not be aware of the possible odors, noises or characteristics that horses may have." Mr. Haugen noted an email was received from adjoining landowner Mike Bartley noting concerns. The board members were given the information for review. Chair Robbins then asked representatives of JC's Twisted, LLC to come forward, identify themselves and address the board. The applicants identified themselves as Jon and Crystal Himley and stated, "We have been looking at this property for some time and the facility has been vacant for the past 5 years. There is a need and high demand for boarding facilities. The number of

60 horses that we used when making the application would include those on the ground to just ride for an hour or two. There would not be 60 horses boarded there.” Chair Robbins opened up for discussion from the board. Board member Nichols asked the initial question, “How many horses will you board?” Crystal Himley specified, “The lease permits 50 horses, we have 20 stalls and 3 pastures. We would provide round bales in every pasture. The stall only horses have 2 round bales 24/7 and the pasture only horses will have 3-4 round bales 24/7. We also have plans to hay in the summer to help with the grazing of the grass. We have a lot of show horses coming out and they are given grain twice a day also.” The board discussed: Average number of horses on the site 365 days per year, plans for waste disposal, manure containment, weed and insect control, shelters located in the north pasture area, hours of operation, special events being held on site, and written plan for emergencies. Crystal Himley answered, “Realistically I would think we would board an average 35-40 horses at most per day with the winter months being the peak when the college students are in the area. Prussman Contracting has been contacted and will load and dispose of manure every two months or sooner if needed.” Jon Himley noted that the manure would be stored in the area to the left of the lean-to on the north side and he is considering adding a concrete pad with walls on 3 sides to help with containment in the future. Crystal Himley detailed, “We will spray to control weeds and also keep trash and manure cleaned up to help with insect control. We can also be use mineral blocks that help with pest/bug control.” Mr. Himley stated, “The structures to the north in the pasture are lean-to type shelters with windbreaks on the sides.” Ms. Himley noted that no one will be out riding past 11PM at night. They would have set hours when facility would be open. Mr. Himley stated, “We have no initial plans for having special events that could result in a large volume of traffic.” Richard Haugen added that he had spoken to Matt Bartley the Brookings City street department superintendent and that the roads in the area were already being treated with calcium chloride for dust control. Crystal Himley stated, “I haven’t written a detailed emergency plan yet, gates would be locked but I would not have any problem giving keys to the fire chief, allowing access in off hours. Chair Robbins opened up for discussion from the audience. 1) Mike Bartley came forward, identified himself, noted the location of his residence being by the facility and stated. “I would like to see this succeed. The information that I emailed to the office and you were given was some information that I wanted to share. I am concerned with the number of 60 head of horses and don’t know if the acres of pasture is sustainable for that number. I am not concerned with the noise or other aspects.” 2) Gary Englund came forward, identified himself and noted the location of his residence being near the facility and stated, “I was concerned primarily when I saw the number of 60 head of horses and was concerned about the parking. I talked with Jon and Crystal before the meeting and now understand their plans more. The 60 still bothers me in the regards of traffic, but I would like to see it a success and operating and maintained again.” Chair Robbins asked for additional comments from the public, hearing none, he closed the public portion. Chair Robbins asked the Himleys to come forward again and answer any additional questions from the board. Alternate board member Davis asked a question concerning the size of the outdoor horse shelters

in the event of a hail type storm. The Himleys detailed, "The shelters are more than capable of sustaining 15 horses or more in each shelter. Pasture only horses would be put in the indoor arena so that they would be out of the elements completely in the event of such things as a snowstorm or freezing rain." Board member Rochel asked a question regarding manure handling on a daily basis. Crystal Himley noted that the stalls would be cleaned daily and manure put in a containment area. The board also asked questions regarding viable number on the acres available, trailer parking, and procedure with removal of a deceased animal and contracts with boarder. Crystal Himley stated, "I don't plan on ever having 60 horses stabled there, ideally I want 40-45 horses. I have an equine management degree and know how to figure the feed needs per horse and would like to put the pasture area into rotational pasturing." Ms. Himley noted that not all of those using the facility would have trailers or store them there so the area allowed would be sufficient. Crystal Himley specified, "In regards to the disposal of a horse, it will be up to the individual owners and we will help them with their disposal plans for their horse and it will be completed within 24 hours." Ms. Himley then stated, "In regards to contracts and the health of the animals, we will require that everyone using the facility provide proof of vaccinations and other health records. We will also have on record veterinarian information from the horse owners." Chair Robbins asked if the board had additional comments. The board discussed the number of horses to allow, time limit for the conditional use and signage on the site. Chair Robbins asked if the board had additional comments, hearing none he asked Mr. Haugen to go over the findings of the facts, with any additions, which are on file. Chair Robbins called for a roll call vote: Pierce-aye, Rochel-aye, Elenkiwich-aye, Nelson-aye, Kleinjan-aye, Nichols-aye, Spence-aye, Jensen-aye, Robbins-aye. 9-ayes, 0-nays. Motion carried.

Chair Robbins stated, "We are now acting as the Brookings County Planning and Zoning Commission" read the opening statement and seeing no items under agenda #8 moved onto and read **agenda item # 9: Discussion of Comprehensive Plan Final Draft with First District.** Chair Robbins asked a representative from First District to come forward. The representative identified himself as Luke Muller from First District Association of Local Governments and noted this would be the final discussion phase and that a public hearing would take place on January 26th, 2016. Mr. Muller went over revisions, corrections and changes that were made to the Comprehensive Land Use Plan with board members.

Chair Robbins then read **agenda item # 10: Department Reports.** Chair Robbins asked Mr. Hill for his Directors report. Mr. Hill announced a few county commission decisions regarding the board and also that Lee Ann Pierce would continue to be the liaison. He also congratulated Laurie Nichols on her recent employment announcement and noted that in June there would be a board opening with Ms. Nichols leaving the Brookings area and that the term appointment was set to expire in December 2016. Mr. Hill then announced calendar items: Richard Haugen to attend Emergency Management Training - January 20-22, 2016. Comprehensive Plan Public Hearing - January 26th, 2016 at 6 PM in #300 Community Room, and the next Planning & Zoning Meeting – February 2nd, 2016

at 7 PM. He also discussed the staff reports and what type of information the board would like to see included or improved upon in the reports such as: the history of the property and similar requests, the pros & cons of granting or denying, and identifying hardships related to each applicant's specific request.

Chair Robbins adjourned the meeting at 9:23 PM.

Rae Lynn Maher
Brookings County
Development Department.

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